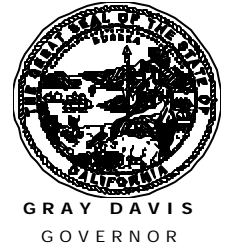




**STATE MINING & GEOLOGY BOARD**  
DEPARTMENT OF CONSERVATION  
STATE OF CALIFORNIA



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Issued: December 17, 2001

## THE STATE MINING AND GEOLOGY BOARD

**will hold a Public Hearing on:**

**Thursday, February 14, 2002**

**9:30 A. M.**

**526 C Street (City Hall)**

**Marysville, Yuba County**

■ ■ ■  
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The State Mining and Geology Board (SMGB or Board) will conduct a public hearing at the above listed time and location to receive comments regarding Yuba County's alleged failure to enforce the Surface Mining and Reclamation Act (SMARA, Public Resources Code § 2710 et seq.), and whether the SMGB should assume any of the County's SMARA responsibilities. Affected surface mine operators and interested persons have the right at the public hearing to present oral and written evidence on the matter being considered. The SMGB may, at the public hearing, place reasonable limits on the right of affected surface mining operators and interested persons to question and solicit testimony. This public hearing is being conducted pursuant to PRC § 2774.4.

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Article 1, General Provisions, of the Surface Mining and Reclamation Act of 1975 provides in Section 2712 the following:

"It is the intent of the Legislature to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:

(a) *Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.*

b) *The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.*

*Mission of the State Mining and Geology Board is to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Redress*

*(c) Residual hazards to the public health and safety are eliminated*

Article 5, Reclamation of Mined Lands and the Conduct of Surface Mining Operations, of SMARA provides in part, in Section 2774.1(f) that:

*“The lead agency has primary responsibility for enforcing this chapter [SMARA] and Section 2207.”*

PRC § 2774.4 (SMARA) provides that if the SMGB finds that a lead agency has failed to perform its specific responsibilities to enforce the Act, or performs those responsibilities deceptively, then the responsibility for enforcing the Act shall be assumed by the SMGB.

Those wishing to submit written comments prior to the hearing should supply the SMGB with twelve (12) copies of the materials not later than February 1, 2002; otherwise, interested parties may distribute materials during the hearing. For additional information, please contact: Ms. Kit Gonzales, Executive Assistant, State Mining and Geology Board, 801 K Street, MS 24-05, Sacramento, California 95814, or call (916) 322-1082.

A specific agenda for this hearing will be published ten days prior to the SMGB meeting.